

## REMARKS

The Office Action dated April 4, 2010 has been received and considered. In this response, claims 1, 3-7, and 9-16 have been amended and claims 17-22 have been added. Support for the amendments and new claims may be found in the specification and drawings as originally filed. For example, support for the amendments can be found at page 8, lines 11-25 of the specification as filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### Obviousness Rejection of Claims 1, 3-7, and 9-16

At page 4 of the Office Action, claims 1, 3-7, and 9-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Le Scolan et al.* (US 7,058,729) in view of *Kotaki* (US 5,276,659). Claim 1 has been amended to recite a synchronization unit operable to “determine a first **fixed code value** based on a sign of the difference between the first network timing information and the second network timing information; [and]... communicate the first fixed code value to a second computer node.” These features are not disclosed by the cited references. In particular, neither *Le Scolan* nor *Kotaki* disclose a **fixed code value** that is based a sign of the difference between the first network timing information and the second network timing information; and communicate the fixed code value to a second computer node. Instead *Le Scolan* discloses providing a value that indicates the magnitude of the difference between clock signals associated with different nodes. *Le Scolan*, col. 15, lines 22-32. Because the difference between clock signals can vary, the value indicating the magnitude can vary, and therefore the value disclosed by *Le Scolan* is not a **fixed** code value in any manner. With respect to *Kotaki*, the reference discloses providing a correction value based on the difference between timing information associated with different network stations. *Kotaki*, col. 3, lines 20-38. The correction value varies depending on the number of times a correction has been made. *Id.* Accordingly, the correction value disclosed by *Kotaki* is not a **fixed** value in any manner. Thus, the cited references, individually and in combination, fail to disclose or render obvious a fixed code value, and therefore necessarily fail to disclose the above cited features of claim 1.

In addition, claim 1 has been amended to recite “in response to the difference between the first network timing information and the second network timing information exceeding the threshold, communicate the fixed code value to a second computer node to request a change in network timing information associated with the second computer node by a predetermined **fixed** step value.” Independent claims 7 and 10 have been amended to recite similar features. These features are not disclosed or rendered obvious by the cited references. In particular, neither of the cited references discloses adjusting timing information by a **fixed** amount, as provided by claim 7. Instead, Kotaki discloses correcting timing information by a **variable** amount, based on the number of corrections that have been made. *Id.* Similarly, Le Scolan discloses adjusting an offset between clock signals by a variable amount depending on a difference in the clock signals. *Le Scolan*, col. 15, lines 22-32. The cited references, individually and in combination, therefore fail to disclose or render obvious at least the above-cited features of claim 1, as well as the similar features of claims 7 and 10.

Claims 3-6, 11 and 12 depend from claim 1. Claims 9, 13, and 14 depend from claim 7. Claims 15 and 16 depend from claim 10. Accordingly the cited references, individually and in combination, fail to disclose or render obvious at least one feature of each of these dependent claims, at least by virtue of their respective dependency on claims 1, 7, and 10. In addition, these dependent claims recite additional novel and non-obvious features.

In view of the foregoing, withdrawal of the obviousness rejection of claims 1, 3-7, and 9-16 and reconsideration of the claims is respectfully requested.

### **New Claims**

Claims 17-22 have been added, and recite features not disclosed by the cited references, at least by virtue of their respective dependency on claims 1, 7, and 10. In addition, these claims recite additional novel and non-obvious features.

### **Conclusion**

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone

number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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Date